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15 Attorneys for Defendants OANH TRAN and BH MEDIA

17 **IN THE UNITED STATES DISTRICT COURT**

18 **FOR THE CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**

19 HAU DZUONG aka ANDY
20 THANH dba BLUE OCEAN
MUSIC,

21 Plaintiff,

22 v.

23 OANH TRAN, an individual; BH
24 MEDIA, a Vietnam Corporation
incorporated in Hanoi, Vietnam, and
25 DOES 1 through 10, inclusive,

26 Defendants.

Case No.: 17-cv-953-JVS-KES
(Hon. James V. Selna, Courtroom 10-C)

27 **JOINT STATUS REPORT OF
PLAINTIFF HAU DZUONG aka ANDY
THANH dba BLUE OCEAN MUSIC
AND DEFENDANTS OANH TRAN AND
BH MEDIA**

1 Pursuant to the Order of this Court on October 15, 2018, Plaintiff HAU
 2 DZUONG aka ANDY THANH dba BLUE OCEAN MUSIC (hereafter "Plaintiff") and
 3 Defendants OANH TRAN and BH MEDIA (hereafter collectively "Defendants")
 4 hereby submit this Joint Status Report.

5 As a result of scheduling issues, counsel for Plaintiff and Defendants were only
 6 able to meet and confer by telephone on October 25, 2018. The parties were unable to
 7 come to a consensus as to any proposed dates.

8 Plaintiff prefers a new trial date in summer of 2019 (Plaintiff's counsel is
 9 unavailable until after May 2019) and all associated dates to stem from that new trial
 10 date with a standard time table. It is Plaintiff's position with the current state of
 11 discovery as it is, as a result of the nature of the litigation up until this point, adequate
 12 litigation of the issues requires time to properly prepare this matter for trial on the
 13 merits.

14 Defendants prefer a new trial date in spring of 2019 and all associated dates to
 15 stem from that new trial date with a compacted time table. It is Defendants' position
 16 they would suffer significant prejudice if trial was delayed. Defendants are also of the
 17 position that their discovery is complete and that if issues are not complete, it is
 18 Defendants' contention, that this is due to Plaintiff's intentional and calculated decision
 19 to pursue or not pursue certain lines of discovery.

20 In consideration of Plaintiff's pro per status up until recently, Plaintiff's counsel
 21 disagrees with Defendants' positions and believes that additional time is necessary to
 22 prepare this matter for submission to a trier of fact. Plaintiff's counsel also believes that
 23 a second Mediation session, to occur in early 2019, will be meaningful toward getting
 24 this matter resolved. Defendant will only agree to a second Mediation via
 25 videoconference.

26 Defendants hereby serves notice of their intention to serve and re-file their
 27 Counterclaim that was previously deemed by the Court as untimely.

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1 **Plaintiff's Proposed Dates:**

2 1.	Trial Date (5/7 Days – Jury Trial):	August 6, 2019
3 2.	Final Pretrial Conference:	July 22, 2019
4 3.	Lodge Pretrial Conference Order:	July 15, 2019
5 4.	Last Day for Serving Motions in Limine:	June 28, 2019
6 5.	Last Day for Hearing Motions:	May 20, 2019
7 6.	Non-Expert Discovery Cut-Off:	April 19, 2019
8 7.	Expert Disclosures:	January 31, 2019
9 8.	Rebuttal Expert Witness Disclosure:	March 4, 2019
10 9.	Supplemental Expert Disclosure:	March 4, 2019
11 10.	Expert Discovery Cut-Off:	May 28, 2019
12 11.	Last Day to Conduct Settlement Conference:	June 17, 2019
13 12.	Last Day to Amend Pleading or Add Parties:	January 31, 2019

14 **Defendants' Proposed Dates:**

15 13.	Trial Date (5/7 Days – Jury Trial):	April 1, 2019
16 14.	Final Pretrial Conference:	March 18, 2019
17 15.	Lodge Pretrial Conference Order:	March 11, 2019
18 16.	Last Day for Serving Motions in Limine:	February 25, 2019
19 17.	Last Day for Hearing Motions:	January 22, 2019
20 18.	Non-Expert Discovery Cut-Off:	December 17, 2018
21 19.	Expert Disclosures:	November 26, 2018
22 20.	Rebuttal Expert Witness Disclosure:	December 17, 2018
23 21.	Supplemental Expert Disclosure:	December 17, 2018
24 22.	Expert Discovery Cut-Off:	January 22, 2019
25 23.	Last Day to Conduct Settlement Conference:	March 4, 2019
26 24.	Last Day to Amend Pleading or Add Parties:	December 17, 2018

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1
2 Dated: November 1, 2018

Respectfully submitted,

3 BERSTEIN LAW, PC

4 /s/ David A. Bernstein

5 David A. Bernstein

6 J. R. Dimuzio

7 Attorneys for Plaintiff HAU DZUONG
8 aka ANDY THANH dba BLUE OCEAN
9 MUSIC

10 Dated: November 1, 2018

Respectfully submitted,

11 DO PHU & ANH TUAN, PLC

12 /s/ David Dang

13 Phu Do Nguyen

14 Thuy T. Nguyen

15 David Dang

16 Attorneys for Defendants OAHN TRAN
17 and BH MEDIA

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DECLARATION OF ELECTRONIC SERVICE

Central District of California Case No. 17-cv-953-JVS-KES

Service of the attached document was accomplished pursuant to Central District of California, Order Authorizing Electronic Filing, General Order No. 08-03 and Local Rule 5.3-3, which provide in part: "Upon the electronic filing of a document, a Notice of Electronic Filing (NEF) is automatically generated by the CM/ECF system and sent by e-mail to all attorneys in the case who are registered as CM/ECF Users and have consented to electronic service. Service by this electronic NEF constitutes service pursuant to the Federal Rules of Civil and Criminal Procedure for all attorneys who have consented to electronic service."

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on November 1, 2018, at Newport Beach, California.

By: /s/ David A. Berstein
David A. Berstein

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